

116TH CONGRESS  
1ST SESSION

# H. R. 2771

To direct the Secretary of Health and Human Services to revise regulations with respect to payment rates for durable medical equipment under the Medicare program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2019

Mrs. RODGERS of Washington (for herself and Mr. LOEBACK) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Secretary of Health and Human Services to revise regulations with respect to payment rates for durable medical equipment under the Medicare program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Home Oxy-  
5 gen and Medical Equipment Act of 2019” or the “Pro-  
6 tecting HOME Act of 2019”.

1 **SEC. 2. REVISING PAYMENT RATES FOR DURABLE MEDICAL**  
2 **EQUIPMENT UNDER THE MEDICARE PRO-**  
3 **GRAM.**

4 (a) RURAL AND NONCONTIGUOUS AREAS.—Not later  
5 than December 31, 2020, the Secretary of Health and  
6 Human Services shall revise section 414.210(g)(9)(iii) of  
7 title 42, Code of Federal Regulations (or any successor  
8 regulation), to apply the transition rule described in such  
9 section to all applicable items and services furnished in  
10 rural areas and noncontiguous areas (as such terms are  
11 defined for purposes of such section) on or after June 1,  
12 2018.

13 (b) AREAS OTHER THAN RURAL AND NONCONTIG-  
14 UOUS AREAS.—With respect to items and services fur-  
15 nished on or after the date that is 30 days after the date  
16 of the enactment of this Act, the Secretary of Health and  
17 Human Services shall apply section 414.210(g)(9)(iv) of  
18 title 42, Code of Federal Regulations (or any successor  
19 regulation), as if the reference to “100 percent of the ad-  
20 justed payment amount established under this section”  
21 were instead a reference to “75 percent of the adjusted  
22 payment amount established under this section and 25  
23 percent of the unadjusted fee schedule amount”.

1 **SEC. 3. BUDGET NEUTRALITY FOR OXYGEN UNDER THE**  
2 **MEDICARE PROGRAM.**

3       Section 1834(a)(9)(D)(ii) of the Social Security Act  
4 (42 U.S.C. 1395m(a)(9)(D)(ii)) is amended by adding at  
5 the end the following new sentence: “The requirement of  
6 the preceding sentence shall not apply beginning on Janu-  
7 ary 1, 2020.”.

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